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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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WRITER'S DIRECT

August 22, 1997

BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: MM Docket No. 87-268

Dear Mr. Caton:

Transmitted herewith, on behalf of Central Virginia Educational Telecommunications Corp., licensee of noncommercial educational station WNVC(TV), Fairfax, Virginia, are an original and four copies of its "Supplement to Petition for Reconsideration and Clarification, in the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate with the undersigned.

Very truly yours,
FLETCHER, HEALD & HILDRETH, P.L.C.

Anne Goodwin Crump

Anne Goodwin Crump
Counsel for Central Virginia Educational
Telecommunications Corp.

Enclosures

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BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Advanced Television Systems and) MM Docket No. 87-2681
Their Impact Upon the Existing)
Television Broadcast Service)

Directed to: The Commission

SUPPLEMENT TO PETITION FOR RECONSIDERATION AND CLARIFICATION

Central Virginia Educational Telecommunications Corp., licensee of noncommercial educational station WNVC(TV), Fairfax, Virginia ("WNVC"), by its attorneys and pursuant to the Commission's Order, DA 97-1377, released July 2, 1997, hereby respectfully submits its request for change in DTV channel allotment in the nature of a Supplement to the "Petition for Reconsideration and Clarification of Association of America's Public Television Stations and Public Broadcasting Service," filed June 13, 1997. WNVC requests herein a change in WNVC's DTV channel allotment from Channel 57 to Channel 36. With respect thereto, the following is stated:

1. WNVC is a member of the Association of America's Public Television Stations ("APTS") and, as such, was a party to the Petition for Reconsideration and Clarification filed jointly by APTS and Public Broadcasting Service ("PBS"). The APTS/PBS Petition for Reconsideration and Clarification specifically noted the status of WNVC, which currently operates on Channel 56, as a public television station with both its NTSC and DTV channel assignments outside the core channels. Petition for Reconsideration and Clarification at

Appendix A, Appendix C. As noted in the Petition for Reconsideration and Clarification, this position creates substantial difficulties for noncommercial educational stations with their limited operating budgets. Stations which already face significant financial challenges could be forced to build a new DTV facility on one channel, only to have to build yet another facility on another channel three or four years later. Such a requirement would, at the very least, cause a waste of precious resources which could be put to better use in developing noncommercial programming and could cause stations to cease broadcasting altogether. Moreover, during the DTV transition, stations will first seek to attract viewers to their initial DTV channel, only to have to migrate those viewers to yet another channel at the end of the transition period.

2. WNVC has now found, however, that a DTV channel allotment within the core can be assigned to it, as set forth in the attached Engineering Statement. Accordingly, WNVC is hereby supplementing the Petition for Reconsideration and Clarification to request a change in its DTV allotment. Pursuant to the Commission's Order, DA 97-1377, such supplemental requests may be submitted by August 22, 1997.¹ Accordingly, this supplement is being submitted in a timely manner.

3. Specifically, WNVC requests a change in its DTV allotment from Channel 57 to Channel 36. In order to accommodate this change, WNVC also requests that the DTV allotment

¹ As set forth above, WNVC is a member of APTS, which in turn is a member of the Broadcasters Caucus. In the "Petition for Clarification and Partial Reconsideration" filed in this proceeding by the Association for Maximum Service Television, the Broadcasters Caucus, and other broadcasters, APTS and other signatories had sought additional time after the release of OET Bulletin 69 to evaluate the allotments and provide supplementary information with regard to specific changes in the DTV table. Petition for Clarification and Partial Reconsideration at ¶C.1, p. 17.

for WVVI(TV), Channel 66, Manassas, Virginia, be changed from Channel 36 to Channel 43.

As set forth in the attached Engineering Statement, both changes can be made in accordance with the Commission's Rules, and both meet DTV spacing requirements at the stations' licensed NTSC sites. Furthermore, the assignment of Channel 36 to WNVC will provide it with virtually full replication of its current Channel 56 service area, while assignment of Channel 43 to WVVI will likewise provide that station with virtually full replication of its current Channel 66 service area.

4. The proposed changes in allotments will have significant public interest benefits.

First, the changes requested herein will provide two television stations, including one public television station, with DTV channels within the core spectrum. As both of the channels involved fall within both of the future core spectrum options, Channels 2 to 46 or Channels 7 to 51, both of these stations will have certainty as to their final channel assignments at the end of the DTV transition. Accordingly, the stations will have a greater ability to raise the capital which will be needed to make the transition to DTV. Having a firm DTV allotment for the future will facilitate the long-range planning which is essential for noncommercial entities to raise the necessary funds and take the other actions necessary to undertake the construction of a new DTV facility.


5. Additionally, the substitution of Channel 36 for Channel 57 will eliminate the potential first adjacent channel incompatibility problems anticipated to WNVC's NTSC Channel 56. Because of the technical problems anticipated for a station operating its NTSC and DTV facilities on first adjacent channels, it would be necessary for WNVC to invest in special transmission isolation systems in order to preserve an acceptable signal for its viewers. This

additional expense, which would divert funds from other service to the public, could be avoided by the substitution requested herein.

WHEREFORE, the premises considered, WNVC respectfully requests that the DTV Table of Allotments be amended to substitute Channel 36 for Channel 57 at Fairfax, and to substitute Channel 43 for Channel 36 at Manassas, Virginia.

Respectfully submitted,

CENTRAL VIRGINIA EDUCATIONAL
TELECOMMUNICATIONS CORPORATION

By: 
Harry C. Martin
Anne Goodwin Crump

Its Attorneys

FLETCHER, HEALD & HILDRETH, P.L.C.
1300 North 17th Street
Eleventh Floor
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(703) 812-0400

August 22, 1997

ENGINEERING STATEMENT
ON BEHALF OF
WNVC, CHANNEL 56, FAIRFAX, VIRGINIA
RE PROPOSED CHANGE OF DTV ALLOTMENT
IN MM DOCKET NO. 87-268

AUGUST 1997

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

COHEN, DIPPELL AND EVERIST, P. C.

City of Washington)
) ss
District of Columbia)

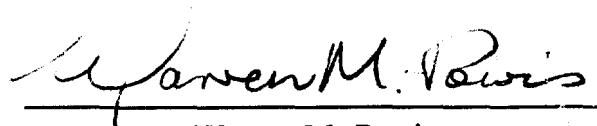
Warren M. Powis, being duly sworn upon his oath, deposes and states that:

He is a graduate electrical engineer of the University of Canterbury, New Zealand, a Registered Professional Engineer in the District of Columbia, the State of Virginia, the State of South Carolina, and Vice President of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio - Television, with offices at 1300 L Street, N.W., Suite 1100, Washington, D.C. 20005; previously employed for 15 years with the New Zealand Broadcasting Corporation; a member of the Institution of Professional Engineers New Zealand (IPENZ), the Association of Federal Communications Consulting Engineers (AFCCE), and the National Society of Professional Engineers (NSPE).

That his qualifications are a matter of record in the Federal Communications Commission;

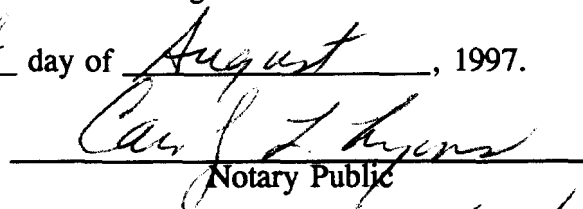
That the attached engineering report was prepared by him or under his supervision and direction and,

That the facts stated herein are true of his own knowledge, except such facts as are stated to be on information and belief, and as to such facts he believes them to be true.



Warren M. Powis
District of Columbia
Professional Engineer
Registration No. 8339

Subscribed and sworn to before me this 14th day of August, 1997.


Notary Public

My Commission Expires: 2/28/98

This engineering statement has been prepared on behalf of Central Virginia Educational Telecommunications Corporation, licensee of non-commercial educational television broadcast station WNVC, Channel 56, Fairfax, Virginia, in support of its request to change the digital television (DTV) allotments assigned to WNVC and to WVVI, Channel 66, Manassas, Virginia, in the Sixth Report & Order in MM Docket No. 87-268, in the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service. Specifically, WNVC requests a change in its DTV allotment from Channel 57 to Channel 36 and a change in WVVI's DTV allotment from Channel 36 to Channel 43.

Proposed Change in DTV Allotment

The requested change in DTV allotment for WNVC from Channel 57 to Channel 36 will resolve any potential first-adjacent channel incompatibility problems anticipated to WNVC's NTSC Channel 56.

WNVC is concerned that both its NTSC and FCC assigned DTV channels fall outside of the future core spectrum necessitating a third investment in facilities for the post-transition period. Furthermore, WNVC believes that greater expenses will be involved with construction of the first-adjacent NTSC/DTV operations and the associated special transmission isolation systems. Since WVVI's NTSC Channel 66 is also located outside of the core spectrum, an alternate core DTV channel (Channel 43) was identified.

The attached Table I is an allocation study depicting the distances from the proposed Channel 36 DTV operation of WNVC to other NTSC stations. Table II is an allocation study depicting distances from the FCC allotted Channel 57 DTV operation of WNVC to other NTSC stations. Table III lists the pertinent co-channel and first-adjacent channel DTV allotments surrounding WNVC-DTV options (Channels 36 and 57).

The attached Table IV is an allocation study depicting the distances from the proposed Channel 43 DTV operation of WVVI to other NTSC stations. Table II is an allocation study depicting distances from the FCC allotted Channel 36 DTV operation of WVVI to other NTSC stations. Table III lists the pertinent co-channel and first-adjacent channel DTV allotments surrounding WVVI-DTV options (Channels 43 and 36).

Attached hereto are maps depicting coverage and predicted areas of interference based on OET Bulletin 69 methodology compared to the WNVC, Channel 56 NTSC F(50,50) Grade B contour computed in accordance with Section 73.684 of the FCC Rules and Regulations.

Figure 1 Proposed Channel 36 DTV Service Area

Figure 2 Docket 87-268 Channel 57 DTV Service Area

Figure 3 Existing Channel 56 NTSC Service Area

Also, attached hereto are maps depicting coverage and predicted areas of interference based on OET Bulletin 69 methodology compared to the WVVI, Channel

66 NTSC F(50,50) Grade B contour computed in accordance with Section 73.684 of the FCC Rules and Regulations.

Figure 4 Proposed Channel 43 DTV Service Area

Figure 5 Docket 87-268 Channel 36 DTV Service Area

Figure 6 Existing Channel 66 NTSC Service Area

WNVC believes the Channel 36 will provide it with virtually full replication of its current Channel 56 service area and that Channel 43 will provide WVVI with virtually full replication of its current Channel 66 service area. In addition, the undesired first-adjacent Channel 56/Channel 57 situation at WNVC will be resolved and both stations WNVC and WVVI will obtain DTV stations within both of the future core spectrum options, Channel 2 to 46 or Channel 7 to 51.

COHEN, DIPPELL AND EVERIST, P. C.

TABLE I
PROPOSED WNVC CHANNEL 36 DTV TO NTSC
ALLOCATION STUDY
AUGUST 1997

<u>Channel</u>		<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
				<u>Actual</u> km	<u>Required</u> km
N	36	WNVC-DTV	Fairfax, VA	--	--
N-15	21	None within 120 km		--	< 24.1, > 80.5
N-14	22	WMPT	Annapolis, MD	55.3	< 24.1, > 80.5
N-8	28	None within 120 km		--	< 24.1, > 80.5
N-7	29	None within 120 km		--	< 24.1, > 80.5
N-4	32	WHMM	Washington, DC	14.3	< 24.1, > 80.5
N-3	33	None within 120 km		--	< 24.1, > 80.5
N-2	34	None within 120 km		--	< 24.1, > 80.5
N-1	35	None within 120 km		--	< 9.7, > 88.5
N	36	WGPT	Oakland, MD	188.4	217.3
N + 1	37	None within 120 km		--	< 9.7, > 88.5
N + 2	38	None within 120 km		--	< 24.1, > 80.5
N + 3	39	None within 120 km		--	< 24.1, > 80.5
N + 4	40	None within 120 km		--	< 24.1, > 80.5
N + 7	43	None within 120 km		--	< 24.1, > 80.5
N + 8	44	None within 120 km		--	< 24.1, > 80.5

COHEN, DIPPELL AND EVERIST, P. C.

TABLE II
WNVC DTV TO NTSC
FCC CHANNEL 57 ALLOCATION STUDY
AUGUST 1997

<u>Channel</u>		<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
				<u>Actual</u> km	<u>Required</u> km
N	57	WNVC-DTV	Fairfax, VA	--	--
N-15	42	WVPY	Front Royal, VA	96.5	< 24.1, > 80.5
N-14	43	None within 120 km		--	< 24.1, > 80.5
N-8	49	None within 120 km		--	< 24.1, > 80.5
N-7	50	WBDC	Washington, DC	19.6	< 24.1, > 80.5
N-4	53	WNVN	Goldvein, VA	33.1	< 24.1, > 80.5
N-3	54	WNUV	Baltimore, MD	60.9	< 24.1, > 80.5
N-2	55	None within 120 km		--	< 24.1, > 80.5
N-1	56	WNVC	Fairfax, VA	0	< 9.7, > 88.5
N	57	WPSG	Philadelphia, PA	214.4	217.3
N	57	WCVW	Richmond, VA	154.7	217.3
N+1	58	NEW	Waldorf, MD	43.5	< 9.7, > 88.5
N+2	59	None within 120 km		--	< 24.1, > 80.5
N+3	60	WSHE	Martinsburg, WV	97.4	< 24.1, > 80.5
N+4	61	None within 120 km		--	< 24.1, > 80.5
N+7	64	None within 120 km		--	< 24.1, > 80.5
N+8	65	None within 120 km		--	< 24.1, > 80.5

COHEN, DIPPELL AND EVERIST, P. C.

TABLE III
WNVC DTV TO DTV
ALLOCATION STUDIES
AUGUST 1997

<u>Channel</u>		<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
				<u>Actual</u> km	<u>Required</u> km
N	36	WNVC-DTV	Fairfax, VA	--	--
N-1	35	WDCA-DTV	Washington, DC	14.3	< 32.2, > 88.5
N	36	WITF-DTV	Harrisburg, PA	166.2	196.3
N	36	WMGM-DTV	Wildwood, NJ	214.7	196.3
N + 1	37	None within 120 km		--	< 32.2, > 88.5

<u>Channel</u>		<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
				<u>Actual</u> km	<u>Required</u> km
N	57	WNVC-DTV	Fairfax, VA	--	--
N-1	56	None within 120 km		--	< 32.2, > 88.5
N	57	WHTM-DTV	Harrisburg, PA	161.7	196.3
N + 1	58	None within 120 km		--	< 32.2, > 88.5

COHEN, DIPPELL AND EVERIST, P. C.

TABLE IV
PROPOSED WVVI CHANNEL 43 DTV TO NTSC
ALLOCATION STUDY
AUGUST 1997

<u>Channel</u>		<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
				<u>Actual</u> km	<u>Required</u> km
N	43	WVVI-DTV	Manassas, VA	--	--
N-15	28	None within 120 km		--	< 24.1, > 80.5
N-14	29	None within 120 km		--	< 24.1, > 80.5
N-8	35	None within 120 km		--	< 24.1, > 80.5
N-7	36	None within 120 km		--	< 24.1, > 80.5
N-4	39	None within 120 km		--	< 24.1, > 80.5
N-3	40	None within 120 km		--	< 24.1, > 80.5
N-2	41	None within 120 km		--	< 24.1, > 80.5
N-1	42	WVPY	Front Royal, VA	88.9	< 9.7, > 88.5
N	43	WPMT	York, PA	151.3	217.3
N	43	WVBT	Virginia Beach, VA	229.9	217.3
N + 1	44	None within 120 km		--	< 9.7, > 88.5
N + 2	45	WBFF	Baltimore, MD	84.7	< 24.1, > 80.5
N + 3	46	None within 120 km		--	< 24.1, > 80.5
N + 4	47	None within 120 km		--	< 24.1, > 80.5
N + 7	50	WBDC	Washington, DC	32.7	< 24.1, > 80.5
N + 8	51	None within 120 km		--	< 24.1, > 80.5

COHEN, DIPPELL AND EVERIST, P. C.

TABLE V
WVVI DTV TO NTSC
FCC CHANNEL 36 ALLOCATION STUDY
AUGUST 1997

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>Required</u> km
N	36	WVVI-DTV Manassas, VA	--	--
N-15	21	None within 120 km	--	< 24.1, > 80.5
N-14	22	WMPT	67.2	< 24.1, > 80.5
N-8	28	None within 120 km	--	< 24.1, > 80.5
N-7	29	None within 120 km	--	< 24.1, > 80.5
N-4	32	WHMM Washington, DC	27.6	< 24.1, > 80.5
N-3	33	None within 120 km	--	< 24.1, > 80.5
N-2	34	None within 120 km	--	< 24.1, > 80.5
N-1	35	None within 120 km	--	< 9.7, > 88.5
N	36	WGPT Oakland, MD	183.1	217.3
N + 1	37	None within 120 km	--	< 9.7, > 88.5
N + 2	38	None within 120 km	--	< 24.1, > 80.5
N + 3	39	None within 120 km	--	< 24.1, > 80.5
N + 4	40	None within 120 km	--	< 24.1, > 80.5
N + 7	43	None within 120 km	--	< 24.1, > 80.5
N + 8	44	None within 120 km	--	< 24.1, > 80.5

COHEN, DIPPELL AND EVERIST, P. C.

TABLE VI
WVVI DTV TO DTV
ALLOCATION STUDIES
AUGUST 1997

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>Required</u> km
N	43	WVVI-DTV Manassas, VA	--	--
N-1	42	WMPT-DTV Annapolis, MD	67.2	< 32.2, > 88.5
N	43	None within 240 km	--	196.3
N + 1	44	WWPB-DTV Hagerstown, MD	110.7	< 32.2, > 88.5

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>Distance</u>	
			<u>Actual</u> km	<u>Required</u> km
N	36	WVVI-DTV Manassas, VA	--	--
N-1	35	WDCA-DTV Washington, DC	27.6	< 32.2, > 88.5
N	36	WITF-DTV Harrisburg, PA	177.5	196.3
N	36	WMGM-DTV Wildwood, NJ	225.4	196.3
N + 1	37	None within 120 km	--	< 32.2, > 88.5

